

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

03/07/2019

CLERK OF THE COURT

HONORABLE MARK H. BRAIN

S. Yoder  
Deputy

In Re: The General Adjudication Of All Rights To  
Use Water In The Gila River System And Source  
W-1, W-2, W-3, W-4 (Consolidated)

**FILED: 03/08/2019**

In Re: San Pedro Riparian National Conservation  
Area Contested Case No. W1-11-232

In Re: Trial to the Court

**TRIAL MINUTE ENTRY  
DAY 18**

Courtroom CCB 1201

10:33 a.m. Trial to the Court continues from March 6, 2019. Claimant United States (US) appears by Counsel Dave Gehlert and Lee Leininger.

The following attorneys are present on behalf of Objectors: Michael Foy, Jeff Heilman and Lisa McKnight on behalf of Salt River Project (SRP); Joe P. Sparks on behalf of the San Carlos Apache Tribe; Brian Heiserman and Sean Hood on behalf of Freeport Minerals Corporation (FMC); Carrie Brennan and Kevin Crestin on behalf of the Arizona State Land Department; Sara Ransom on behalf of Cochise County (CC); William Sullivan on behalf of the City of Sierra Vista and Pueblo Del Sol Water Company (SVP); and Robert Anderson on behalf of Liberty Utilities (Bella Vista Water).

Other counsel present: Jenifer Najjar (afternoon only) on behalf of the Justice Department; and Kimberly Parks (morning only) on behalf of the Arizona Department of Water Resources.

Court Reporter Luz Franco is present, and a record of the proceedings is also made digitally.

**Freeport Minerals Corporation's case continues:**

Richard Thomas Burtell, having previously been sworn, resumes the stand and testifies further.

12:01 p.m. Court stands at recess.

1:30 p.m. Court reconvenes with respective counsel present.

Court Reporter Luz Franco is present, and a record of the proceedings is also made digitally.

Discussion is held regarding the United States' Motion to Supplement Exhibit List. Freeport Minerals requests time to review the motion before responding.

US Exhibits 2066, 344 and 976 are received in evidence upon motion of SRP.

US Exhibits 1265 and 6634 were previously received in evidence on March 6<sup>th</sup> and March 4<sup>th</sup> respectively.

Richard Thomas Burtell resumes the stand and testifies further.

3:09 p.m. Court stands at recess.

3:23 p.m. Court reconvenes with respective counsel present.

Court Reporter Luz Franco is present, and a record of the proceedings is also made digitally.

Richard Thomas Burtell resumes the stand and testifies further.

US Exhibit 894 is received in evidence upon motion of FMC.

US Exhibit 2335 is received in evidence upon motion of FMC.

US Exhibit 338 is received in evidence upon motion of FMC.

Scheduling and procedural issues are discussed.

Discussion is held regarding the United States' Motion to Supplement Exhibit List. There being no objection, the government may submit the exhibit to be marked next in order.

4:08 p.m. Court stands at recess until March 11, 2019 at 10:30 a.m.

A copy of this minute entry is mailed to all persons listed in the Court-approved mailing list.